



20 October 2003



DEPARTMENT
OF HEALTH AND
CHILDREN
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CHILDEARNA LEAGHLA

Circular 1/2003

Ref: HSC/2003/14

Each Chief Executive Officer, Superannuation Officer, LGASS, NHASS & VHS

**Suspension or Reduction of Allowances (Pensions) on
Public Health Sector Superannuation Schemes**

Chairman S. 999
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I am directed by the Minister for Health and Children to advise you of alterations to the application of relevant provisions for certain public health service pensioners working in agencies / organisations covered by the scheme from which their pensions are held.

The Pensions (Amendment) Act 1992 provides by legislation basis for the suspension or reduction of an allowance (pension) where, after retirement, a scheme member is employed in an agency / organisation, in which the superannuation scheme paying the pension applies. Remuneration plus pension for the specified period should not exceed the up-rated remuneration for the year from which the pensioner retired.

Suspension or reduction of allowances is dealt with under:

LGSS; The Local Government Superannuation (Consolidatory) Scheme, 1995 (Article 1, 3 (1)(a), (i) and (ii))

NHASS; Section 19 of the Non-Hospital Health Agencies Superannuation Scheme, 1981.

VHS; Section 50 of the Voluntary Hospitals Superannuation Scheme, 1960 (as amended 1977).

In the above named schemes above can is determined by the specified period of re-employment. Attention to the 'specified period' can be examined with reference to the work in that period. The extent of the 'specified period' may have the impact of permitting a pensioner to earn up to 39% of the up-rated remuneration of his/her former post, before any reduction in pension payable.

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A Scheme pensioner, with 40 years service, employed for a continuous period of one year working half time (whether the equivalent to 20 working weeks or 1 month off earnings only, or similar arrangement) could receive half pay and full pension. However, if a scheme pensioner were employed full-time for a continuous period of 3 years or more previous to their re-employment, no pension will be payable for the year.

Appendix II: Statement of Employment Examples offers a number of sample cases to highlight the application of placement of public health sector pensioners based on various levels of remuneration, work patterns and service.

The nature of the contract of employment determines the extent of placement, if any. For example if the 'specific period' of re-employment is identified in the contract of employment:

1. Full time over six months:
The individual is employed on a full time basis over a specified period of six months. Therefore no pension is due. Remuneration for the specific period is equal to the unadjusted remuneration of the former post. (Case 7, Appendix I relates)
2. Full time for six months over the course of one year (including working weeks off, evenings only only)
The period of re-employment is one year and no reduction in pension will occur (Case 8, Appendix I relates).
3. If and when required over the course of a specified period
Where the period of re-employment is stated and provided the re-employment does not exceed half the whole time cap (that is to say the pension will not be reduced) (Appendix I relates)

Appendix III: Abatement Report for Each Period of Post-Nretirement Employment is to be completed in the event of a scheme pensioner(s); receiving pay or entitlements from an agency / organisation administering a public health sector scheme. All public health sector agencies / organisations are requested to maintain records of scheme pensioners being employed. For NELSS and VHSS pensioners records of scheme pensioners being employed (for each period of employment) and being employed (the form must be completed for each period of employment) and referred to Pension Policy Unit of the Department of Health & Children, Hawthorn House, Hawkins Street, Dublin 1. In the event of difficulties in employment authorities a revised form should be supplied. For LSSA employers similar reports are required for issuing to HSE - Shared Services.

Queries regarding the content of this circular should in the first instance be addressed to your local Superannuation Officer. If there are any confidential queries Superannuation Officers can contact the Pension Policy Unit of the Department.

Yours sincerely

Bernadette Ryan
Principal
Personnel Management and Development

Appendix I

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Revista Brasileira de Psicologia e Desenvolvimento Humano, Rio Claro, v. 10, n. 1, p. 1-12, 2008.

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THE JOURNAL OF CLIMATE

THE JOURNAL OF CLIMATE

THE JOURNAL OF CLIMATE VOL. 17, NO. 10, OCTOBER 2004

THE JOURNAL OF MEDICAL ETHICS 2000;26:179-183

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Appendix II

Abatement Report for Each Period of Post-Retirement Employment

Public Health Sector Superannuation Schemes

Name	
Reference No.	
Grade	
HSE/PSI	Health & Safety Executive
Service (Years)	
Previous Remuneration	£ <input type="text"/>
Age at Retirement	
Date of Retirement	
Contract Period (Months, Max 12)	
Locality Remuneration (Annual) £ <input type="text"/>	
Period 1, 2001 (app 2000/01)	
Current Remuneration (Annual)	
Compensation (£ <input type="text"/> of PTE)	
Previous WTE (Contract Period)	
Period Remuneration	
Illustrated Position (Contract Period)	
Actual Period(s) (Contract Period) Max	
Total (Contract Period) Remuneration	
Statement	
Agency _____	
Prepared by _____	
Signature _____	
Date _____	
Sect 10(1) Peaslow Policy Unit (List)	
Received in Peaslow Policy Unit (Date)	
HSE I passed	
Remuneration rates verified	
Handover Received	
Date for verification of cessation of contract	
Signature _____	
Date _____	
<p>As HSE/PSI or YUSS employee this form must be completed and returned to Peaslow Policy Unit of the Department of Health & Children, Hawkins House, Hawkins Street, Dublin 2 for each period of employment not less than 12 months or longer. In the case of a regular employment condition a revised form should be supplied. For YUSS employees similar forms are required for issuing to HSE Shared Services.</p>	

Do HHS or VHBSS employees this year must be completed and turned to Poston Policy Unit of the Department of Health & Welfare, Health Policy, Lawsuits Sector, DHEW 2 for each point of employment, as well HHS/BSB is VHBSS involved. In the event of a negative employment condition a release from liability is supplied. Do VHBSS employees similar rights are required for turning to HSC Shared Services.